

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

FREDERICK BANKS,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-07-0229-F
)	
UNITED STATES MARSHAL and)	
LT. MOSES A/K/A LT. MOSELEY,)	
)	
Defendants.)	

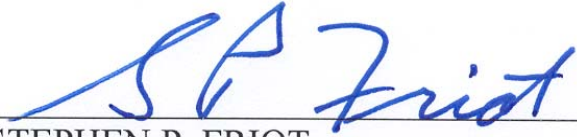
ORDER

Magistrate Judge Valerie K. Couch's Report and Recommendation is before the court. (Doc. no. 7.) The Report recommends that, following initial review under 23 U.S.C. § 1915A and 28 U.S.C. § 1915(e)(2)(B), the amended complaint be dismissed without prejudice for failure to state a claim upon which relief may be granted, and also for lack of personal jurisdiction over defendant Moses.

Plaintiff is a federal prisoner appearing *pro se*, whose pleadings are liberally construed. Plaintiff has objected to the report, and the court has reviewed all objected to matters *de novo*. Having concluded that review, and after careful consideration of plaintiff's objections, the record, and the relevant authorities, the court finds and concludes that it agrees with the Report and that no purpose would be served by stating any further analysis here or by allowing further amendment.

Accordingly, the Report and Recommendation of Magistrate Judge Valery K. Couch is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. This action is dismissed without prejudice for the reasons stated in the Report.¹

Dated this 1st day of August, 2007.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

07-0229p002(pub).wpd

¹Included in Plaintiff's Objections to Report and Recommendation is a Motion to File Amended Complaint. The Motion to File Amended Complaint is **DENIED** because amendment would be futile.